

EXHIBIT 2

From: Vincent Russo <vrusso@robbinsfirm.com>
Sent: Friday, June 21, 2019 6:05 PM
To: Cross, David D.
Cc: Josh Belinfante; Brian Lake; Chapple, Catherine L.; Conaway, Jenna B.; Bentrott, Jane P.; Manoso, Robert W.; Miriyala, Arvind S.; Adam M. Sparks; Halsey G. Knapp, Jr.; John Powers; Bruce Brown; David Brody; Cary Ichter; Robert McGuire; Burwell, Kaye; Lowman, David; Ringer, Cheryl; Kimberly Anderson; Bryan Tyson; Carey Miller; Alexander Denton; bjacoutot@taylorenghish.com
Subject: Re: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

With the deposition scheduled on Monday, we will need to coordinate availability and get back to you over the weekend.

Thanks,

Vincent

On Jun 21, 2019, at 5:59 PM, Cross, David D. <DCross@mofo.com> wrote:

Vincent -

You've deliberately failed to comply with Rule 34 and the Judge's Order. We'll proceed accordingly.

When are you available to confer on Monday?

Thanks.
DC

From: Vincent Russo <vrusso@robbinsfirm.com>
Date: Friday, Jun 21, 2019, 5:56 PM
To: Cross, David D. <DCross@mofo.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>
Cc: Brian Lake <Brian.Lake@robbinsfirm.com>, Chapple, Catherine L. <CChapple@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, Bentrott, Jane P. <JBentrott@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Miriyala, Arvind S. <AMiriyala@mofo.com>, Adam M. Sparks <sparks@khlawfirm.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, John Powers <jpowers@lawyerscommittee.org>, Bruce Brown <bbrown@brucepbrownlaw.com>, David Brody <dbrody@lawyerscommittee.org>, Cary Ichter <Clchter@ichterdavis.com>, Robert McGuire <ram@lawram.com>, Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>, Lowman, David <David.Lowman@fultoncountyga.gov>, Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>, Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>, Bryan Tyson <btyson@taylorenghish.com>, Carey Miller <carey.miller@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, bjacoutot@taylorenghish.com
Subject: RE: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

- External Email -

David,

Documents that are not relevant or are outside the scope of issues in this case, will not be produced. Documents that are privileged will be withheld. Documents that contain sensitive information, the disclosure of which would cause a security risk Georgia's elections, will be withheld. Documents that contain sensitive but discoverable information will be withheld until the entry of an appropriate protective order. Otherwise, documents that are responsive to the requests and not withheld for one of the aforementioned reasons, will be produced.

Since documents aren't being produced until July 3, and we are still in the process of gathering documents, we can't say for certain now whether there are documents that fall into these categories for each Request. We had to serve responses 15 days ahead of time, so we need to preserve our objections. When we actually produce, we will let you know.

Thanks,

Vincent

Vincent R. Russo | 404.856.3260 | [ROBBINS](#)

From: Cross, David D. [<mailto:DCross@mofo.com>]

Sent: Friday, June 21, 2019 5:21 PM

To: Vincent Russo <vrusso@robbinsfirm.com>; Josh Belinfante <Josh.Belinfante@robbinsfirm.com>

Cc: Brian Lake <Brian.Lake@robbinsfirm.com>; Chapple, Catherine L. <CChapple@mofo.com>; Conaway, Jenna B.

<JConaway@mofo.com>; Bentrott, Jane P. <JBentrott@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>;

Miriyala, Arvind S. <AMiriyala@mofo.com>; Adam M. Sparks <sparks@khlawfirm.com>; Halsey G. Knapp, Jr.

<hknapp@khlawfirm.com>; John Powers <jpowers@lawyerscommittee.org>; Bruce Brown

<bbrown@brucebrownlaw.com>; David Brody <dbrody@lawyerscommittee.org>; Cary Ichter

<Clichter@ichterDavis.com>; Robert McGuire <ram@lawram.com>; Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>;

Lowman, David <David.Lowman@fultoncountyga.gov>; Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>; Kimberly

Anderson <Kimberly.Anderson@robbinsfirm.com>; Bryan Tyson <btyson@taylorenglish.com>; Carey Miller

<carey.miller@robbinsfirm.com>; Alexander Denton <Alexander.Denton@robbinsfirm.com>;

bjacoutot@taylorenglish.com

Subject: RE: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

Vincent -

Are you or are you not providing today amended responses that specifically state what categories of documents, if any, you are not producing in response to each request, as required by Rule 34? A simple yes or no would be appreciated.

As to your email, we're not asking you to identify responsive documents. We're simply asking for what Rule 34 and the Judge's Order require.

Lastly, your email indicates you're not producing any documents at all in response to these requests because you claim they're overbroad. That's inappropriate. You're obligated to produce whatever documents that are responsive to these requests that you believe are discoverable — and again the point of Rule 34b2C is to make clear what that is for each request.

Thanks.

DC

From: Vincent Russo <vrusso@robbinsfirm.com>

Date: Friday, Jun 21, 2019, 4:36 PM

To: Cross, David D. <DCross@mofo.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>

Cc: Brian Lake <Brian.Lake@robbinsfirm.com>, Chapple, Catherine L. <CChapple@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, Bentrott, Jane P. <JBentrott@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Miriyala, Arvind S. <AMiriyala@mofo.com>, Adam M. Sparks <sparks@khlawfirm.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, John Powers <jpowers@lawyerscommittee.org>, Bruce Brown <bbrown@brucepbrownlaw.com>, David Brody <dbrody@lawyerscommittee.org>, Cary Ichter <Clichter@ichterdavis.com>, Robert McGuire <ram@lawram.com>, Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>, Lowman, David <David.Lowman@fultoncountyga.gov>, Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>, Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>, Bryan Tyson <btyson@taylorenglish.com>, Carey Miller <carey.miller@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, bjacoutot@taylorenglish.com <bjacoutot@taylorenglish.com>

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- External Email -

David,

We disagree with your assertion that our Responses were in anyway insufficient or failed to comply with the Federal Rules of Civil Procedure. We are well aware of the requirements of Rule 34(b)(2)(C) regarding identification of any withheld documents. As you know, however, in order to expedite the discovery process in this case, the Parties agreed to serve responses and objections to discovery requests early, within 15 days of service, while production of documents is to occur within 30 days. See Joint Preliminary Report and Discovery Plan, Ex. B [Dkt. 410-2] at 2. Given this schedule, the universe of potentially responsive documents has not yet been finalized as we are currently still in the process of collecting documents. We served our objections in accordance with the parties' agreed upon schedule to preserve our rights and once responsive documents have been identified, we will identify any withheld documents in accordance with the Federal Rules.

In addition, the significant overbreadth of the Curling Plaintiffs' Requests makes producing responsive documents either unreasonable or unduly burdensome. For example, your Requests make frequent use of the defined terms "Election System," "Security Breach," and "Security Vulnerability" that are so overly broad so as to fall well outside the scope of this case. As indicated in our Responses, State Defendants will not, and cannot, produce responsive documents to these Requests (and accordingly cannot identify any documents to be withheld) until a narrower, non-objectionable scope has been determined.

If you would like to meet and confer regarding these issues, please let us know your availability.

Thanks,

Vincent

Vincent R. Russo | 404.856.3260 | ROBBINS

From: Cross, David D. [<mailto:DCross@mofo.com>]

Sent: Friday, June 21, 2019 11:00 AM

To: Josh Belinfante <Josh.Belinfante@robbinsfirm.com>

Cc: Brian Lake <Brian.Lake@robbinsfirm.com>; Chapple, Catherine L. <CChapple@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; Bentrott, Jane P. <JBentrott@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Miriyala, Arvind S. <AMiriyala@mofo.com>; Adam M. Sparks <sparks@khlawfirm.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; John Powers <jpowers@lawyerscommittee.org>; Bruce Brown <bbrown@brucebrownlaw.com>; David Brody <dbrody@lawyerscommittee.org>; Cary Ichter <Clichter@ichterdavis.com>; Robert McGuire <ram@lawram.com>; Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>; Lowman, David <David.Lowman@fultoncountyga.gov>; Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>; Vincent Russo <vrusso@robbinsfirm.com>; Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>; Bryan Tyson <btyson@taylorenghish.com>; Carey Miller <carey.miller@robbinsfirm.com>; Alexander Denton <Alexander.Denton@robbinsfirm.com>; bjacoutot@taylorenghish.com

Subject: RE: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

Where does this stand? These responses are obviously inadequate and we can't have a meaningful meet and confer without knowing what, if anything, you're producing in response to each request. This defeats the whole purpose of the 15 day period for written responses. Please provide appropriate responses by 6 pm ET today and availability to confer on Monday.

We continue to reserve all rights, including asserting waiver.

From: Josh Belinfante <Josh.Belinfante@robbinsfirm.com>

Date: Wednesday, Jun 19, 2019, 6:17 AM

To: Cross, David D. <DCross@mofo.com>

Cc: Brian Lake <Brian.Lake@robbinsfirm.com>; Chapple, Catherine L. <CChapple@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; Bentrott, Jane P. <JBentrott@mofo.com>; Manoso, Robert W. <RManoso@mofo.com>; Miriyala, Arvind S. <AMiriyala@mofo.com>; Adam M. Sparks <sparks@khlawfirm.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; John Powers <jpowers@lawyerscommittee.org>; Bruce Brown <bbrown@brucebrownlaw.com>; David Brody <dbrody@lawyerscommittee.org>; Cary Ichter <Clichter@ichterdavis.com>; Robert McGuire <ram@lawram.com>; Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>; Lowman, David <David.Lowman@fultoncountyga.gov>; Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>; Vincent Russo <vrusso@robbinsfirm.com>; Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>; Bryan Tyson <btyson@taylorenghish.com>; Carey Miller <carey.miller@robbinsfirm.com>; Alexander Denton <Alexander.Denton@robbinsfirm.com>; bjacoutot@taylorenghish.com <bjacoutot@taylorenghish.com>

Subject: Re: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

David and Brice:

I said we'd take it under advisement.

Thanks for your input.

J.B.

Sent from my iPhone

On Jun 18, 2019, at 11:05 PM, Cross, David D. <DCross@mofo.com> wrote:

The Rule isn't what I cited?

See below: "These responses don't comply with Rule 34b2C."

Thanks.
DC

From: Josh Belinfante <Josh.Belinfante@robbinsfirm.com>
Date: Tuesday, Jun 18, 2019, 8:06 PM
To: Cross, David D. <DCross@mofo.com>
Cc: Brian Lake <Brian.Lake@robbinsfirm.com>, Chapple, Catherine L. <CChapple@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, Bentrott, Jane P. <JBentrott@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Miriyala, Arvind S. <AMiriyala@mofo.com>, Adam M. Sparks <sparks@khlawfirm.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, John Powers <jpowers@lawyerscommittee.org>, Bruce Brown <bbrown@brucepbrownlaw.com>, David Brody <dbrody@lawyerscommittee.org>, Cary Ichter <CIchter@ichterdavis.com>, Robert McGuire <ram@lawram.com>, Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>, Lowman, David <David.Lowman@fultoncountyga.gov>, Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>, Vincent Russo <vrusso@robbinsfirm.com>, Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>, Bryan Tyson <btyson@taylorenglish.com>, Carey Miller <carey.miller@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, bjacoutot@taylorenglish.com <bjacoutot@taylorenglish.com>
Subject: Re: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

That's not what I said. It is not what you cited. You know that.

Thanks and enjoy your evening.
JB

Sent from my iPhone

On Jun 18, 2019, at 9:46 PM, Cross, David D. <DCross@mofo.com> wrote:

Which is why I directed you to the Rule. But if you want to stand on these responses and waive your objections, that's fine. It will expedite discovery and ensure we get what we need.

Thanks.

From: Josh Belinfante <Josh.Belinfante@robbinsfirm.com>
Date: Tuesday, Jun 18, 2019, 7:04 PM
To: Cross, David D. <DCross@mofo.com>
Cc: Brian Lake <Brian.Lake@robbinsfirm.com>, Chapple, Catherine L. <CChapple@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, Bentrott, Jane P. <JBentrott@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Miriyala, Arvind S. <AMiriyala@mofo.com>, Adam M. Sparks <sparks@khlawfirm.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, John Powers <jpowers@lawyerscommittee.org>, Bruce Brown <bbrown@brucepbrownlaw.com>, David Brody <dbrody@lawyerscommittee.org>, Cary Ichter <CIchter@ichterdavis.com>, Robert McGuire <ram@lawram.com>, Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>, Lowman, David <David.Lowman@fultoncountyga.gov>, Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>, Vincent Russo <vrusso@robbinsfirm.com>, Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>, Bryan Tyson <btyson@taylorenglish.com>, Carey Miller <carey.miller@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, bjacoutot@taylorenglish.com <bjacoutot@taylorenglish.com>

Subject: Re: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

David:

The advisory committee notes are just that, but we will take your email under advisement.

Thanks,
JB

Sent from my iPhone

On Jun 18, 2019, at 9:03 PM, Cross, David D. <DCross@mofo.com> wrote:

Brian -

These responses don't comply with Rule 34b2C. They include numerous objections without stating whether any responsive materials are being withheld on the basis of any objection asserted. As emphasized in the 2015 advisory committee notes to the rule, this creates improper confusion and uncertainty about what you intend to produce. Please immediately serve appropriate responses that comply with the FRCP. We reserve all rights, including asserting waiver as to any and all objections asserted.

Thanks.
Dc

From: Brian Lake <Brian.Lake@robbinsfirm.com>
Date: Tuesday, Jun 18, 2019, 6:23 PM
To: Cross, David D. <DCross@mofo.com>, Chapple, Catherine L. <CChapple@mofo.com>
Cc: Conaway, Jenna B. <JConaway@mofo.com>, Bentrrott, Jane P. <JBentrrott@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Miriyala, Arvind S. <AMiriyala@mofo.com>, Adam M. Sparks <sparks@khlawfirm.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, John Powers <jpowers@lawyerscommittee.org>, Bruce Brown <bbrown@brucepbrownlaw.com>, David Brody <dbrody@lawyerscommittee.org>, Cary Ichter <CIchter@ichterdavis.com>, Robert McGuire <ram@lawram.com>, Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>, Lowman, David <David.Lowman@fultoncountyga.gov>, Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>, Vincent Russo <vrusso@robbinsfirm.com>, Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>, Bryan Tyson <btyson@taylorenglish.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>, Carey Miller <carey.miller@robbinsfirm.com>, Alexander Denton

<Alexander.Denton@robbinsfirm.com>, bjacoutot@taylorenghish.com
<bjacoutot@taylorenghish.com>

Subject: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

- External Email -

All,

Attached, please find an electronic service copy of State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs.

If you have any trouble opening or accessing the document, please let us know.

Thank you very much,

<image001.jpg>

Brian E. Lake
ROBBINS ROSS ALLOY BELINFANTE LITTLEFIELD LLC
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ROBBINS GOVERNMENT RELATIONS LLC
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